THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16625 of 2007

Dated: 06-08-2007

Between:

B.Sujatha.

..... PETITIONERS

AND

The Sub-Collector, Vijayawada, Krishna District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16625 of 2007

ORDER:

The petitioner was assigned a house site patta in respect of land admeasuring Ac.0.03 ½ situated at Ibrahimpatnam. When she was about to take up construction of cement pucca building, it is alleged that respondents 1 and 3 proclaimed that they would not allow the construction. It is further alleged that second respondent gram panchayat passed a resolution on 22.05.2007 allowing an extent of Ac.0.50 in R.S.No.76/2 for construction of Anganwadi Centre and Community Hall. Alleging that the respondents are trying to occupy her land, the petitioner filed W.P.No.15149 of 2007, which was dismissed on 17.07.2007 recording the submission of the learned standing counsel for the gram panchayat that the respondents never

interfered with the construction activity by the petitioner. The petitioner further alleges that immediately after dismissal of said writ petition, the revenue authorities of the Panchayat Raj Department visited her land and put up a notice board to the effect that the land belongs to the Government and the encroachers will be prosecuted. The petitioner tried to give a representation for redressal, but she was not allowed. Therefore, in this writ petition, she seeks appropriate declaration and direction.

The petitioner filed earlier writ petition for almost similar relief. Even in this writ petition, she only alleges that the respondents have put up a notice board near her land. It is not her case that they are preventing her from constructing the house. Secondly there cannot be any dispute nor it is denied by the learned Government Pleader for Panchayat Raj and Rural Development and the learned standing counsel for second respondent gram Panchayat that if the petitioner is to be evicted from the land assigned to her, they have to follow necessary due process of law. Insofar as the construction is concerned, the petitioner has to approach the gram panchayat and obtain necessary permission and commence construction.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

06th August, 2007

Note: Issue CC in three days.

B/o

ghn